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Attorney for Movant  
John Doe 70.109.224.221

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ON THE CHEAP, LLC, a California  
Corporation, doing business as  
Tru Filth, LLC

Plaintiff,

v.

Does 1-5011,

Defendant(s).

Case No. CV 10-04472 BZ

**Administrative Motion of John Doe  
70.109.224.221 to File Under Seal**

**JUDGE: BERNARD ZIMMERMAN,**  
United States Magistrate Judge

**Date and Time:** September 7, 2011 at  
10:00 am

**Courtroom:** C – 15th Floor

PLEASE TAKE NOTICE that the Date and Time for Hearing on this Administrative  
Motion of John Doe 70.109.224.221 to File Under Seal is as follows: September 7, 2011 at 10:00  
am.

Defendant John Doe 70.109.224.221, in accordance with Civil L. R. 79-5(c) and this

1 Court's February 3, 2011 Order Granting Plaintiff Leave To Take Early Discovery, Doc. No. 10,  
 2 moves to file a portion of the following document under seal: A redacted version indicating the  
 3 sealable information has been submitted to the Court and a description of the sealable portion is  
 4 indicated in parenthesis:

5 **Declaration of John Doe, IP Address 70.109.224.221, In Support Of**  
 6 **Motion To Quash Subpoena (Movant's city and state of residence)**  
 7

8 The portion of the document sought to be filed under seal contains personally identifying  
 9 information, namely the city and state of residence of the individual associated with the Internet  
 10 Service Provider Verizon Online ("Verizon") at I.P. Address 70.109.224.221. This is the very  
 11 information Movant seeks to protect by filing his Motion to Quash Subpoena. It would amount to  
 12 a substantial injustice to allow Movant's personally identifying information to be released prior to  
 13 this Court ruling on his Motion to Quash and, therefore, John Doe 70.109.224.221 respectfully  
 14 moves this Court for permission to file portions of documents under seal, specifically those  
 15 portions containing personally identifying information.

16 In accordance with Civil L. R. 7-11, on behalf of the undersigned Mark A. Pogue spoke  
 17 by telephone with counsel for ON THE CHEAP, LLC on Thursday, July 28, 2011 to inquire  
 18 whether a stipulation could be obtained. See Declaration of Mark A. Pogue, ¶ 2 filed herewith.  
 19 Counsel for ON THE CHEAP, LLC did not agree to a stipulation. See Id. at ¶ 3.

20 Respectfully submitted,

21  
 22 Dated: July 29, 2011

Edwards Angell Palmer & Dodge LLP

23  
 24 By: 

25 Jon-Paul Lapointe  
 26 Attorneys for Movant  
 27 John Doe 70.109.224.221  
 28

## CERTIFICATE OF SERVICE

I, Laina L. Anderson hereby certify that I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within-entitled action. My business address is 660 Newport Center Drive, Suite 900, Newport Beach, California 92660. On July 29, 2011, I served a true and correct copy of the foregoing

**Administrative Motion of John Doe 70.109.224.221 to File Under Seal**

via the Court's Electronic Case Management System (under seal) pursuant to General Order No. 62 and by hand delivery to the Clerk, United States District Court for the Northern District of California.

I declare under penalty of perjury under the laws of the United States and the State of California that the above is true and correct. Executed on July 29, 2011, at Newport Beach, California.

/s/

Laina L. Anderson